

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE WORLD TRADE CENTER
DISASTER SITE LITIGATION

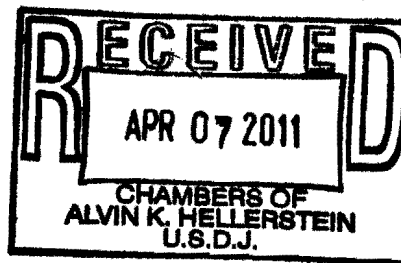
LOUIS NICOLOSI,

Plaintiff,

- against -

THE CITY OF NEW YORK et al,

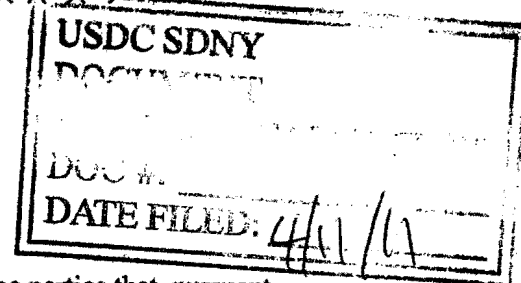
Defendant.



21 MC 100

10 CV 2056
07 CV 3284

PARTIAL STIPULATION OF
VOLUNTARY DISMISSAL AS
AGAINST ALL PARTIES PURSUANT
TO F.R.C.P. 41(A)(1)(A)(II)



IT IS HEREBY STIPULATED AND AGREED by and between the parties that, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii):

1. The above-captioned action is voluntarily dismissed pursuant to the following terms and conditions:

2. All claims by Plaintiff LOUIS NICOLOSI, against all Defendants or against any Defendant arising out of or relating in any way to World Trade Center-related rescue, recovery and/or debris-removal operations and/or clean-up at any location on and/or after September 11, 2001, are voluntarily dismissed.

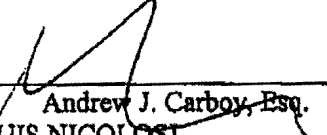
3. All claims that were asserted or could have been brought in relation to Plaintiff's existing pleadings are dismissed with prejudice.

4. This dismissal is without prejudice solely in relation to a second injury to the extent permitted by New York State law and as may be defined by any court having jurisdiction over

any such later-filed complaint. If after this Stipulation is filed Plaintiff commences an action asserting such alleged second injury claims against any or all of the entities listed on Exhibit A to the World Trade Center Litigation Settlement Process Agreement, As Amended ("Amended SPA"), such action shall constitute a "New Debris Removal Claim" as defined in the Amended SPA.

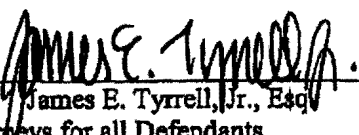
5. The dismissal is without costs.

SULLIVAN PAPAIN BLOCK
McGRATH & CANNAVO P.C.

By: 
Andrew J. Carboy, Esq.
LOUIS NICOLOSI
120 Broadway, 18th Floor
New York, NY 10271

Dated: April 6, 2011

PATTON BOGGS LLP

By: 
James E. Tyrrell, Jr., Esq.
Attorneys for all Defendants
One Riverfront Plaza, Suite 600
Newark, NJ 07102

Dated: April 6, 2011

SO ORDERED:


U.S.D.J.

4/7/11

SULLIVAN PAPAIN BLOCK McGRATH & CANNAVO P.C.

120 BROADWAY • NEW YORK • NEW YORK 10271

TELEPHONE: (212) 732-9000

FACSIMILE: (212) 266-4141

SPBMC-NY@TrialLaw1.com

www.TrialLaw1.com

Robert G. Sullivan
Nicholas Papain
Michael N. Block
Christopher T. McGrath
Vito A. Cannavo
John F. Nash
Frank V. Floriani
Marie Ng
Eleni Coffinas

David J. Dean
Hugh M. Turk
Albert B. Aquila
Brian J. Shoot
Andrew J. Carboy
Mary Anne Walling
Eric K. Schwarz
Elizabeth Montesano

PLEASE REPLY TO:

New York City Office

Matthew J. Jones
Deanne M. Caputo
Beth N. Jablon
Liza A. Milgrim
Susan M. Jaffe
Donte O. Mills
Christopher P. Spina
Jeffrey B. Bromfield
Wendell Y. Tong

Terrence L. Tarver
Michael J. Wells
Clifford S. Argintar
Thomas J. McManus
Holly W. Zappa
Michael W. Lever
Lauren M. Ponnisi
Laura M. Schaefer

John M. Tomsky
George J. Pfluger
Counsel to the Firm

Hon. Joseph N. Giamboni (ret.)
Stephen C. Glasser
Of Counsel

Author's e-mail address:
ACarboy@TrialLaw1.com
Direct Telephone Line:
(212) 266-4102
Private Fax Line:
(212) 266-4182

April 06, 2011

Honorable Alvin K. Hellerstein
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 910
New York, New York 10007-1312

Re: *World Trade Center Disaster Site Litigation, 21 MC 100*
Voluntary Stipulation of Discontinuance for Louis Nicolosi

10 CV 2056 and 07 CV 3284

Honorable Sir:

As counsel for plaintiff Louis Nicolosi, we respectfully submit the enclosed voluntary stipulation of dismissal.

Mr. Nicolosi did not opt into the Settlement Process Agreement.

Mr. Nicolosi's two actions were not previously dismissed for failure to prosecute.

Page 2 of 2

No parties will remain in these actions once the stipulation is so-ordered.

Respectfully Submitted,

SULLIVAN PAPAIN BLOCK
McGRATH & CANNAVO P.C.

By: 

Andrew J. Carboy (AC 2147)

AJC:lm
(067462)